

AMENDED IN SENATE AUGUST 7, 2006

AMENDED IN SENATE JUNE 12, 2006

AMENDED IN ASSEMBLY JANUARY 26, 2006

AMENDED IN ASSEMBLY MAY 11, 2005

AMENDED IN ASSEMBLY APRIL 18, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 966

Introduced by Assembly Member Saldana

February 18, 2005

An act to add Section 13274.3 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 966, as amended, Saldana. Water quality: California-Baja California border region.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of waste in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act (act).

This bill would require the state board, the San Diego Regional Water Quality Control Board, and the Colorado River Basin Regional Water Quality Control Board, to the extent permitted by law, to take all necessary action under the act to establish effective water quality ~~and public health management control~~ programs for the California-Baja California border region, as defined; to work, to the

extent permitted by law, with appropriate organizations on both sides of the California-Baja California border to establish cooperative water quality monitoring, inspection, and technical assistance programs to protect the environment ~~and public health~~ of the border region; to expedite the development of water quality objectives and certain “total maximum daily loads” for surface waters along the border ~~and to seek related funding~~; and, to the extent permitted by law, to work with the International Boundary and Water Commission, United States Section (IBWC), to develop feasible mechanisms to permit discharges from Mexico into California surface waters, in accordance with California water quality ~~and public health~~ objectives, as specified.

The bill would require the state board ~~and the San Diego Regional Water Quality Control Board~~ to facilitate compliance by the IBWC with the act and the federal Clean Water Act in connection with specified plant operations and discharges; to assist, to the extent permitted by law, the IBWC in its efforts to oversee the design, construction, operation, and maintenance of federally funded wastewater projects in Tijuana, Mexico; ~~and~~ to expedite the issuance of any necessary waste discharge requirements in accordance with the NPDES permit program; *to seek funding from appropriate agencies to carry out the bill’s requirements; and to prepare and submit to the Legislature, on or before January 31, 2007, a description of the resources and the amount of funds necessary to comply with these requirements.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13274.3 is added to the Water Code, to
- 2 read:
- 3 13274.3. (a) As used in this section, the following terms have
- 4 the following meanings:
- 5 (1) “Boards” means the state board, the San Diego Regional
- 6 Water Quality Control Board, and the Colorado River Basin
- 7 Regional Water Quality Control Board.
- 8 (2) “Border” means the California-Baja California border.
- 9 (3) “Border region” means the area that extends 100
- 10 kilometers to the north of the border and 100 kilometers to the
- 11 south of the border.

1 (4) “IBWC” means the International Boundary and Water
2 Commission, United States Section.

3 (b) The boards, to the extent permitted by law, shall take all
4 necessary action under this division to establish effective water
5 quality and ~~public health management~~ *control* programs for the
6 border region.

7 (c) The boards, to the extent permitted by law, shall work with
8 appropriate binational, federal, state, local, and nongovernmental
9 organizations on both sides of the border to establish cooperative
10 water quality monitoring, inspection, and technical assistance
11 programs as needed to protect the environment and ~~public health~~
12 of the border region.

13 (d) The boards shall expedite the development of water quality
14 objectives, and total maximum daily loads pursuant to Section
15 303 (d) of the Clean Water Act (33 U.S.C. Sec. 1313(d)), for
16 surface waters along the border, ~~and shall seek appropriate~~
17 ~~funding from federal and binational organizations for necessary~~
18 ~~environmental and public health monitoring of border surface~~
19 ~~waters..~~

20 (e) The boards, to the extent permitted by law, shall work with
21 the IBWC to develop feasible mechanisms to permit discharges
22 from Mexico into California surface waters, in accordance with
23 California water quality and ~~public health~~ objectives, if these
24 discharges are requested by Mexico.

25 (f) The state board ~~and the San Diego Regional Water Quality~~
26 ~~Control Board~~ shall facilitate compliance by the IBWC with this
27 division and the Clean Water Act in connection with its operation
28 of the International Wastewater Treatment Plant in San Diego
29 County and the discharge of waste through the “South Bay
30 Ocean Outfall.”

31 (g) The state board ~~and the San Diego Regional Water Quality~~
32 ~~Control Board~~, to the extent permitted by law, shall assist the
33 IBWC in its efforts to oversee the design, construction,
34 operation, and maintenance of federally funded wastewater
35 projects in Tijuana, Mexico, and to expedite the issuance of any
36 necessary waste discharge requirements in accordance with the
37 national pollutant discharge elimination system (NPDES) permit
38 program.

39 (h) *The state board shall seek funding from the United States*
40 *Environmental Protection Agency, the International Boundary*

1 *and Water Commission, the Border Environment Cooperation*
2 *Commission, the North American Development Bank, and other*
3 *agencies as necessary to carry out this section.*

4 *(i) The state board shall prepare and submit to the*
5 *Legislature, on or before January 31, 2007, a description of the*
6 *resources and the amount of funds necessary to comply with this*
7 *section. The state board shall include with this description*
8 *information relating to any action taken pursuant to subdivision*
9 *(h).*

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